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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,)
Plaintiff,) No. CR 08-00484 DLJ
) STIPULATION AND
) ORDER CONTINUING SENTENCING
) DATE
v.)
JOSE MEJIA-GUTIERREZ,)
Defendant.)

IT IS HEREBY STIPULATED, by and between the parties to this action, that the sentencing date in this case, previously set for November 7, 2008 at 10:00 a.m., before Honorable Judge D. Lowell Jensen may be continued to November 21, 2008, at 10:00 a.m. for sentencing. The reason for the request is that the defense counsel needs additional time to review the presentence report with Mr. Mejia-Gutierrez with the assistance of an interpreter. Mr. Mejia-Gutierrez is currently housed at the Federal Detention Center in Dublin, California and counsel was unable to meet with him with the assistance of an interpreter prior to Friday's appearance. Counsel is setting up the interview for next

1 week. In addition, defense counsel spoke with United States Probation Officer Jessica Goldsberry
2 who is unavailable should the matter be continued one week to November 14, 2008, but is available
3 on November 21, 2008 should the matter be continued to that date.

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5 DATED: November 15, 2008

/s/

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7 JOYCE LEAVITT
8 Assistant Federal Public Defender

9 DATED: November 15, 2008

/s/

10 JAMES MANN
11 Assistant United States Attorney

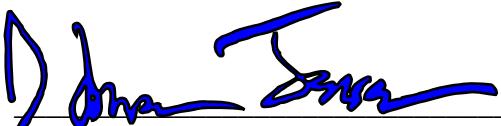
12
13 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
14 conformed signature (/s/) within this e-filed document.

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16 **ORDER**

17 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the sentencing date in this
18 case, previously set for November 7, 2008 at 10:00 a.m., before Honorable Judge D. Lowell Jensen
19 may be continued **to November 21, 2008, at 10:00 a.m.**

20 SO ORDERED.

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22 DATED: November 5, 2008



23 D. LOWELL JENSEN
24 United States District Judge
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